IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

RPFC.No. 151 of 2007()

MC.126/2005 of FAMILY COURT, KOTTARAKKARA

.....

REVN. PETITIONER/RESPONDENT

BIJU, S/O. SUNDARESAN, AGED 27 YEARS,
BIJU VILASOM, OALIYARUKU, ARCHAL,
NEDIYARA P.O., EROOR, PATHANAPURAM, KOLLAM.

BY ADV. SRI.R.ARUN RAJ

RESPONDENTS: PETITIONER

SREELATHA,
THONIKUZHI THEKKETHIL VEEDU, NACHALLOOR,
PATHANAPURAM, KOLLAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

R.P.(F.C.)No.151 of 2007

Dated this the 12th day of April, 2007

O R D E R

Revision petitioner is the counter petitioner in M.C.126/05 under orders to pay maintenance at the rate of Rs.700/- per month from the date of petition. i.e., on 29.9.2003. The matter has been adjudicated ex-parte.

2. The petitioner seeks for an opportunity to adduce his side of evidence. It is further submitted that the petitioner is suffering from acute kidney ailments. He has also produced the scan report and certificate issued from a local hospital. The genuineness of the same is to be established. All the same in the interest of a complete adjudication in the matter, the order of the court below is set aside. The revision petitioner is directed to deposit Rs.10,000/- within two months from today onwards and continue to deposit the amount of maintenance at the rate of Rs.500/- per month. The court below on depositing the amount of Rs.10,000/- shall permit the parties to adduce further evidence and dispose of the case on merits. Revision petitioner shall

appear before the Family Court on 12.6.2007. Non bailable warrant, pending, if any shall be kept in abeyance till 12.6.2007.

The revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl